IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

MONDAY, THE 5TH FEBRUARY 2007 / 16TH MAGHA 1928

WP(C).No. 3856 of 2007(H)

PETITIONER:

MOHAN.R., SPECIAL TAHSILDAR,
LAND ACQUISITION, KOYILANDY, KOZHIKODE DISTRICT,
RESIDING AT `ATHIRA', P.O.NADAKKUTHAZHA,
VADAKARA.

BY ADV. SRI.R.K.MURALEEDHARAN

RESPONDENTS:

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1. THE CONVENOR, DEPARTMENTAL PROMOTION COMMITTEE (HIGHER) FOR LAND REVENUE DEPARTMENT, GOVERNMENT OF KERALA, THIRUVANANTHAPURAM.

2. THE STATE OF KERALA, REPRESENTED BY PRINCIPAL SECRETARY TO GOVERNMENT, LAND REVENUE DEPARTMENT, THIRUVANANTHAPURAM.

3. RADHAKRISHNAN.M.P., SPCIAL DEPUTY COLLECTOR, KERALA TODDY WORKS WELFARE FUND BOARD, THIRUVANANTHAPURAM.

R1 & R2 BY GOVT. PLEADER MR. P. NANDAKUMAR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

WP(C)No. 3856 OF 2007

Dated this the 5th February, 2007.

JUDGMENT

The petitioner is working as Special Tahsildar in Kozhikode district. Ext.P3 representation is pending with the Principal Secretary to Government, Revenue Department in his capacity as the Convenor of the Departmental Promotion Committee for selection to the post of Deputy Collector. The petitioner's case was not considered by the Departmental Promotion Committee which had met earlier, despite his eligibility to come within the field of choice. According to the petitioner his right was overlooked on the erroneous assumption that a vigilance case was pending against him. The petitioner asserts that no vigilance case or enquiry is pending against him and that the Departmental Promotion Committee proceeded on the wrong belief that the petitioner's case need not be considered.

2. Heard both sides. If the facts asserted by the petitioner are correct, interest of justice requires that his case shall be considered appropriately and decision in accordance with law taken as expeditiously as possible. Hence, there shall be an order directing the first respondent-Convenor of the Departmental Promotion Committee to consider Ext.P3 and pass orders within one month from

the date of receipt of a copy of the judgment. Writ petition is disposed of accordingly.

K.K.DENESAN
Judge

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